

REMARKS

Summary

Claims 1, 2, 4-9 and 11-14 were pending and all of the claims were rejected in the present Office action. Claim 14 was objected to. The allowance of Claim 10, now Claim 14 was withdrawn. Several clarifying amendments have been made. No new matter has been added.

Claim Objections

The Examiner has objected to Claim 14 on the basis of informalities. Claim 14 has been substantively amended as described below, and the Applicant respectfully submits that the amendment has obviated the Examiner's objections.

Claim Rejections

35 U.S.C. § 102(b)

Claims 1, 2, 4, 5, 7-9 and 11-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Khutoryansky et al. (US 5,636,259; "Khutoryansky").

Claim 1 recites, *inter alia*, a portion of an envelope of the x-ray source remains below the lower edge of the support arm and the lower edge of the mounting device when the envelope is rotated plus or minus 180 degrees about the horizontal axis of rotation.

The Examiner asserts that Figs. 10 and 11 in particular (Office action, top of page 4) of the reference show that the envelope is rotated plus or minus 180 degrees about the horizontal axis of rotation. However, in the response to the Applicant's arguments (Office action page 8), the Examiner states that the angle of rotation of the X-ray source shown in Figs. 8-11 of the reference is limited to plus or minus 90 degrees. While the reference may show that the angle of rotation of the x-ray source has an absolute value of 180 degrees, a rotation of plus or minus 180 degrees is measured from a reference position and the total angle of rotation of the envelope limitation in Claim 1 is 360 degrees. As such, the reference does not show rotations of greater than plus or minus 90 degrees

for the x-ray source, and all of the limitations of the present Claim 1 are therefore not found in the reference. Thus, the Applicant respectfully submits that a *prima facie* case of anticipation has not been made out, and the claim is allowable.

Claim 11 has been amended so as to claim the rotation extent of the envelope in a similar form, and is similarly allowable.

Claims 8, 9 and 14 have been amended so as to clarify the wording thereof.

Amended Claim 8 recites, *inter alia*, the horizontal axis of rotation of the x-ray source is laterally displaced with respect to the vertical axis of symmetry of the mounting device.

Fig. 3 of the reference shows that the horizontal axis of rotation passes through the vertical axis of symmetry of the mounding device (#154). As such, the reference does not teach the aspect of Claim 8, where the horizontal axis of rotation is laterally displaced from the vertical axis of symmetry of the mounting device, and the amended claim is not anticipated. Claims 9 and 14 are similarly amended, and are similarly allowable.

Claims 2, 4, 7-9 and 12-13 are also allowable as claims dependent on an allowable base claim.

35 U.S.C. § 103(a)

Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Khutoryansky as applied to Claim 1, and further in view of Horbascheck (US 2002/0118793; "Horbaschek"). Nothing in Horbascheck is cited to overcome the deficiencies in the rejection of Claim 1. Thus, the combination of the references does not teach all of the elements and limitations of Claim 6, and the claim is therefore not obvious.

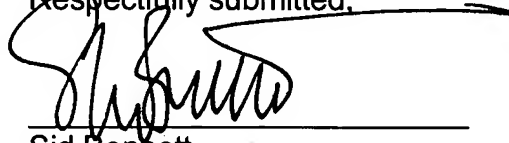
Conclusion

Claims 1, 2 and 4-9 and 11-14 are pending.

For at least the reasons given above, the Applicant respectfully submits that the pending claims are allowable and looks forward to the early issuance of a Notice of Allowance.

The Examiner is respectfully requested to contact the undersigned in the event that a telephone interview would expedite consideration of the application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sid Bennett', is written over a horizontal line.

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